

## Message Text

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ACTION ACDA-10

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 PM-03 SP-02 L-01

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R 280836Z JAN 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 5426

INFO AEC GERMANTOWN

AMEMBASSY BONN

USMISSION EC BRUSSELS

AMEMBASSY MOSCOW

AMEMBASSY ROME

S E C R E T IAEA VIENNA 0681

LIMDIS

E.O. 11652: GDS

TAGS: PARM, IT

SUBJ: ITALIAN NPT RATIFICATION - SOVIET VIEWS

REF: (A) ROME 1115 (B) ROME 1119

1. SOVIET MISSION VIENNA HAS AGAIN BROACHED WITH US MISSION SUBJECT OF ITALIAN NPT RATIFICATION. AT OUTSET OF DISCUSSION, WE GOT IMPRESSION THAT SOVIETS WERE BEGINNING TO LOOK ON THE ARTICLE 25(B) WAIVER APPROACH AS A POSSIBLE, IF DISTASTEFUL, SOLUTION TO THEIR DILEMMA WHICH RESULTS A) FROM SOVIET DESIRE TO SUPPLY ENRICHMENT SERVICES TO EURATOM NON-NUCLEAR WEAPONS STATES AND B) THEIR NPT OBLIGATION (ART. III.2) WHICH REQUIRES THAT THEY DO SO ONLY WHEN INTERNATIONAL SAFEGUARDS ARE IN EFFECT. THE ARTICLE 25(B) WAIVER ARRANGEMENT WOULD IF ACCEPTED BY ALL PARTIES, OF COURSE, BRING THE EURATOM-IAEA SAFEGUARDS AGREEMENT INTO EFFECT DESPITE ITALIAN FAILURE TO RATIFY, AND SOLVE THE DILEMMA.

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2. AS WE DISCUSSED THE COMPLEXITIES OF THE PROBLEM, HOWEVER, SOVIETS BEGAN TO CHANGE THEIR TUNE. THEY UNDERSTOOD THE PROBLEMS THAT WOULD FOLLOW WITH RESPECT TO POTENTIAL DAMAGE TO THE NPT IF ITALY WERE TO RECEIVE MANY OF THE BENEFITS OF THE TREATY WITHOUT ACCEPTING ITS OBLIGATIONS, AND THE INHIBITING EFFECT THIS WOULD HAVE ON NPT RATIFICATION BY OTHER SIGNATORY STATES, E.G. JAPAN. BUT THEY WERE EVEN MORE CONCERNED THAT GIVING THIS ESCAPE HATCH TO ITALY MIGHT ALSO CREATE PARLIAMENTARY PROBLEMS IN THE FRG, AND THAT THE GERMANS MIGHT IN TURN FINALLY ELECT TO WITHHOLD DEPOSIT OF RATIFICATION RATHER THAN FACE AN ATTACK BY THE OPPOSITION IN THE BUNDESTAG. THE MORE THE SOVIET MISSION DISCUSSED THE MATTER, THE STRONGER THEIR OPPOSITION GREW TO THE ARTICLE 25(B) PROPOSAL. WE BELIEVE THEIR RECOMMENDATIONS TO MOSCOW WILL REFLECT POLITICAL ARGUMENTS IN OPPOSITION TO ANY APPROACH OTHER THAN CONTINUED PRESSURE ON ITALY TO RATIFY AS SOON AS POSSIBLE.

3. OF COURSE, THIS DOES NOT SOLVE THE SOVIET PROBLEM CREATED BY THEIR ENRICHMENT SERVICE CONTRACTS WITH THE FRG WHICH HAVE ALREADY RESULTED IN THE DELIVERY OF ENRICHED MATERIAL TO GERMANY. (SEE IAEA VIENNA 9203, OCT 30, 1974) WHILE THE SOVIETS WILL PRESUMABLY CONTINUE PRIVATELY TO TAKE THE POSITION THAT, IF THE US CAN DELIVER ENRICHED MATERIAL TO THE FRG UNDER THE "RULE OF REASON", SO CAN THE SOVIETS, THEY ARE NONETHELESS UNCOMFORTABLE AT FINDING THEMSELVES IN TECHNICAL VIOLATION OF NPT ARTICLE II.2. THEY WISH TO HAVE THE ISSUE SETTLED BEFORE THE NPT REV CON, TO AVOID POSSIBLE PUBLIC CENSURE. THIS CONCERN WILL CONTINUE TO HAVE SOME INFLUENCE IN THE SOVIET SEARCH FOR A SOLUTION WHICH WILL BRING IAEA SAFEGUARDS INTO EFFECT IN THE EURATOM STATES AS SOON AS POSSIBLE. AT THE MOMENT, WE FEEL THEY WILL REJECT THE ARTICLE 25(B) WAIVER FORMULATION, BUT WE WOULD NOT RULE OUT THAT, GIVEN CONTINUED ITALIAN FAILURE TO RATIFY THE TREATY, THE SOVIETS MIGHT LATER ACCEPT IT AS A FALL-BACK POSITION.

4. SOVIET MISSION ALSO REITERATED ITS KEEN INTEREST IN  
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BEING KEPT INFORMED ON PROSPECTS FOR ITALIAN RATIFICATION, AS WELL AS A DESIRE TO CONSIDER PARTICIPATING IN ANY APPROACHES BY OTHERS TO GOI DESIGNED TO ACHIEVE EARLY RATIFICATION. WE GET THE IMPRESSION THAT SOVIETS PLAN TO DISCUSS THE MATTER WITH GOI SOMETIME IN THE NEAR FUTURE IF THEY HAVE NOT ALREADY DONE SO, BUT THEY WOULD STILL LIKE TO TAKE ACTION CONSISTENT WITH THAT PLANNED BY OTHER STATES. WE INFORMED THEM THAT THEIR PREVIOUSLY EXPRESSED

INTEREST IN THIS REGARD HAD BEEN COMMUNICATED TO  
WASHINGTON. IF DEPARTMENT CONCURS, WE WOULD LIKE INFORM  
SOVS THAT EMBASSY ROME HAS MADE NEW APPROACH TO GOI AT  
HIGHEST POLITICAL LEVEL URGING TIMELY, UNRESERVED AD-  
HERENCE TO NPT. SOVS CAN THEN MAKE UP THEIR OWN MINDS ON  
HOW THEY SHOULD PROCEED, AND WHAT THEY SHOULD SAY.

5. WE FULLY AGREE WITH DEPARTMENT'S VIEW THAT SOVIETS  
WILL STRONGLY OPPOSE ALLOWING FULL PARTICIPATION AT  
REVCON BY THOSE STATES WHICH HAVE NOT YET RATIFIED NPT. PORTER

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